

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

THOMAS B. ASELTINE

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)
) CRIMINAL NO. 05-10089-PBS
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)

**ASSENTED-TO MOTION TO SCHEDULE HEARING ON RESTITUTION
ON OR BEFORE DECEMBER 16, 2005**

The United States, with the assent of the defendant, hereby moves the Court to schedule a hearing to be held on or before December 16, 2005, to determine the amount of restitution due in this case. As grounds, the government states that, at the sentencing hearing in this case, on September 21, 2005, the Court held the determination of restitution in abeyance, pursuant to 18 U.S.C. §3664(d)(5) , which permits the Court to make a final determination of the victim's losses up to 90 days after sentencing.¹ Despite best efforts, the parties have not yet been able to reach an agreement as to the correct amount of restitution owed. In the event the parties are able to reach such an agreement, which would obviate the need for a hearing, the parties will notify the Court in writing and provide documentation regarding restitution. In the event the parties are

¹The 90-day time limit prescribed by §3664(d)(5) expires on December 20, 2005. Because of other scheduled obligations, the undersigned requests that the hearing be conducted on or before December 16, 2005.

unable to reach such an agreement, the parties will present evidence of the losses incurred by the government in this case and ask the Court to determine the correct restitution amount.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/ John A. Capin

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